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No. 76

House of Representatives

The House met at 10 a.m.

Rabbi Joui Hessel, Washington Hebrew Congregation, Washington, DC, offered the following prayer:

God of all people, we thank You for all that is good in our world. We acknowledge Your sovereignty and everlasting presence in our lives. Bless us as we commit ourselves to continuing Your work of creation. For our commitment to social justice and peace is our task, and You our guide.

Allow our Nation's leaders and its citizens the opportunity to work together in an effort to create a world filled with righteousness and peace. Bless our magnificent country, that it may always be a stronghold of peace and its advocate among the Nations. May satisfaction reign within its borders, health and happiness within our homes. Strengthen our relationships among the inhabitants of all lands, so that we may work together for peace.

Blessed are You, God, who grants us life, sustains us and enables us to work for a better tomorrow. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. McNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. McNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 346, nays 47, answered “present” 1, not voting 39, as follows:

[Roll No. 223]

YEAS—346

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Ballenger
Barrett (SC)
Barton (TX)
Bass
Beauprez
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin

Cardoza
Carson (IN)
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Collins
Cox
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLauro
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Flake
Foley

Forbes
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gephardt
Gibbons
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Green (WI)
Greenwood
Gutierrez
Hall
Harman
Harris
Hastings (WA)
Hayes
Hayworth
Hensarling
Hill
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hostettler
Houghton
Hoyer
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Jones (NC)
Jones (OH)
Kanjorski

Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore

Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascarelli
Paul
Payne
Pearce
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)

Ryun (KS)
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Terry
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Upton
Van Hollen
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Waxman
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wynn
Young (FL)

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H3721

NAYS—47

| | | |
|---------------|----------------|---------------|
| Baird | Hooley (OR) | Sabo |
| Baldwin | Hulshof | Sandlin |
| Bell | Johnson, E. B. | Schakowsky |
| Cooper | Kennedy (MN) | Strickland |
| Costello | Kucinich | Stupak |
| DeFazio | Lampson | Taylor (MS) |
| English | Larsen (WA) | Thompson (CA) |
| Filner | LoBiondo | Thompson (MS) |
| Ford | McDermott | Udall (CO) |
| Graves | McNulty | Udall (NM) |
| Green (TX) | Miller, George | Visclosky |
| Gutknecht | Olver | Waters |
| Hart | Otter | Weller |
| Hastings (FL) | Pastor | Wicker |
| Hefley | Peterson (MN) | Wu |
| Hinchey | Ramstad | |

ANSWERED "PRESENT"—1

Tancred

NOT VOTING—39

| | | |
|---------------|--------------|-------------|
| Ballance | Deutsch | Murtha |
| Bartlett (MD) | Emerson | Rohrabacher |
| Boehler | Engel | Slaughter |
| Brady (PA) | Fossella | Smith (MI) |
| Burton (IN) | Gerlach | Tauzin |
| Capuano | Grijalva | Thomas |
| Carson (OK) | Herger | Thornberry |
| Conyers | Hunter | Velázquez |
| Crane | Istook | Weiner |
| Cummings | Jefferson | Weldon (FL) |
| DeGette | Johnson, Sam | Weldon (PA) |
| Delahunt | Kingston | Wexler |
| DeMint | Lynch | Young (AK) |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGETT) (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1028

Mr. RUPPERSBERGER changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Georgia (Mr. LINDER) come forward and lead the House in the Pledge of Allegiance.

Mr. LINDER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 2, 2004.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from The Honorable Chris Nelson, Secretary of State, State of South Dakota, indicating that, according to the unofficial returns of the Special election held June 1, 2004, the Honorable Stephanie Herseeth was elected Representative in congress for the At Large Congressional District, State of South Dakota.

With best wishes, I am

Sincerely,

JEFF TRANDAHL.

Attachment.

SECRETARY OF STATE,
Pierre, SD, June 2, 2004.

Hon. JEFF TRANDAHL,
Clerk, House of Representatives,
The Capitol, Washington, DC.

DEAR MR. TRANDAHL: This is to advise you that the unofficial results of the Special Election held on June 1, 2004 for Representative in Congress from the At-Large Congressional District of South Dakota show that Stephanie Herseeth received 132,236 votes or 50.6% of the total number of votes cast for that office.

It would appear from these unofficial results that Stephanie Herseeth was elected as Representative in Congress from the At-Large Congressional District of South Dakota.

To the best of my knowledge and belief at this time, there is no contest to this election.

As soon as the official state canvass has been conducted on June 8, an official certification of election will be prepared for transmittal as required by law.

Sincerely,

CHRIS NELSON.

SOUTH DAKOTA CENTRAL ELECTION REPORTING SYSTEM
STATE TOTALS—JUNE 1, 2004

[Statewide: Precincts reported: 798; precincts to report: 798]

| Name | Party | Votes | Pct. |
|-----------------------------|-------|---------|------|
| Dem. Presidential: | | | |
| Howard Dean | D | 4,837 | .06 |
| John Kerry | D | 69,454 | .82 |
| Dennis Kucinich | D | 2,043 | .02 |
| Lyndon Larouche | D | 2,942 | .03 |
| Uncommitted delegates | D | 5,104 | .06 |
| U.S. House: | | | |
| Larry Diedrich | R | 129,292 | .49 |
| Stephanie Herseeth | D | 132,236 | .51 |

PROVIDING FOR SWEARING IN OF
MS. STEPHANIE HERSEETH, OF
SOUTH DAKOTA, AS A MEMBER
OF THE HOUSE

Ms. PELOSI. Mr. Speaker, I ask unanimous consent that the gentlewoman from South Dakota (Ms. STEPHANIE HERSEETH) be permitted to take the oath of office today. Her certificate of election has not arrived, but there is no contest, and no question has been raised with regard to her election.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

SWEARING IN OF THE HONORABLE
STEPHANIE HERSEETH, OF SOUTH
DAKOTA, AS A MEMBER OF THE
HOUSE

The SPEAKER. Will the Member-elect from South Dakota (Ms. HERSEETH) come forward and raise her right hand.

Ms. HERSEETH appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will

and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations. You are a Member of the House of Representatives.

□ 1030

INTRODUCTION OF REPRESENTATIVE
STEPHANIE HERSEETH

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, as Members know, it is the custom of the House when a new Member is sworn in after a special election, the senior Member from that Member's State has the privilege of introducing the new Member to the House. Since South Dakota only has one Member of Congress, that is not possible today; and so I have that privilege.

But I do want to acknowledge the escort committee to the gentlewoman from South Dakota (Ms. HERSEETH), and that does have a nice ring to it, and what a distinguished escort committee it is, indeed: our former colleague, the Democratic leader in the United States Senate, TOM DASCHLE, and another former colleague from the House of Representatives, the distinguished Senator from South Dakota, Tim Johnson.

Mr. Speaker, the gentlewoman from South Dakota (Ms. HERSEETH) will bring to this House of Representatives the values of the heartland of America and a voice for her generation. She comes from a very distinguished political family in South Dakota. Her grandfather was Governor; her parents were public servants, very respected in South Dakota. She comes here, though, to make her own mark and to make the people of South Dakota very, very proud.

Mr. Speaker, I am very pleased to recognize the distinguished gentlewoman from South Dakota (Ms. HERSEETH).

EXPRESSING GRATITUDE AND
THANKS FOR THE OPPORTUNITY
TO SERVE AS REPRESENTATIVE
FROM SOUTH DAKOTA

(Ms. HERSEETH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HERSEETH. Mr. Speaker, I want to thank my fellow Members of the United States House of Representatives for that gracious and warm welcome. I thank the gentlewoman from California (Ms. PELOSI) for that very kind and generous introduction. I thank Senators DASCHLE and JOHNSON for taking the time to be here with me and my family today. I also thank another native South Dakotan, Jeff Trandahl, our Clerk here in the House, for all of his work and the work of his office. And I thank you, Mr. Speaker, for allowing me to be sworn in at the earliest opportunity so that the people of